

Docket No.: DUKE-227



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of

PATZ et al.

Serial No.: 09/902,786

Confirm. No.: 6628

Filed: July 12, 2001

For: SYSTEM AND METHOD FOR DIFFERENTIAL PROTEIN EXPRESSION
AND A DIAGNOSTIC BIOMARKER DISCOVERY SYSTEM AND
METHOD USING SAME

NOV 29 2002

TECH CENTER 1600/2900

Group Art Unit: 1641

Examiner: Deborah A. Davis

REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In reply to the Office Action of October 1, 2002 wherein restriction has been required, Applicants hereby elect Group I (claims 1-9) with traverse, for prosecution in the above-identified application.

It is respectfully submitted that the subject matter of each of the designated inventions is sufficiently related that a thorough search for the subject matter of each of the designated inventions would encompass a search for the subject matter of the remaining designated inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or

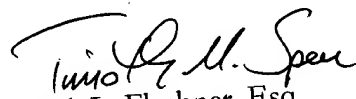
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independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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